

PATENT COOPERATION TREATY

SC PCT/EP2002/00415

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT  
(PCT Rule 72.2)

Date of mailing (day/month/year)  
09 December 2004 (09.12.2004)

To:

LEINWEBER + ZIMMERMANN  
Rosental 7  
80331 München  
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13.12.2004

Applicant's or agent's file reference  
Laufbogen

IMPORTANT NOTIFICATION

International application No.  
PCT/EP2002/004159

International filing date (day/month/year)  
15 April 2002 (15.04.2002)

Applicant

HÖRMANN KG BROCKHAGEN et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

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3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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Translation

## PATENT COOPERATION TREATY



## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Laufbogen	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP2002/004159	International filing date (day/month/year) 15 April 2002 (15.04.2002)	Priority date (day/month/year) 15 April 2002 (15.04.2002)	
International Patent Classification (IPC) or national classification and IPC E05D 15/38			
Applicant HÖRMANN KG BROCKHAGEN			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand 13 November 2003 (13.11.2003)	Date of completion of this report 12 July 2004 (12.07.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2002/004159

## I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

 the international application as originally filed. the description, pages \_\_\_\_\_, as originally filed,  
pages 2, 5-12, filed with the demand,  
pages 1, 3, 4, filed with the letter of 29 April 2004 (29.04.2004),  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_ the claims, Nos. \_\_\_\_\_, as originally filed,  
Nos. \_\_\_\_\_, as amended under Article 19,  
Nos. \_\_\_\_\_, filed with the demand,  
Nos. 1-6, filed with the letter of 29 April 2004 (29.04.2004),  
Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_ the drawings, sheets/fig 1/2-2/2, as originally filed,  
sheets/fig \_\_\_\_\_, filed with the demand,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_

## 2. The amendments have resulted in the cancellation of:

 the description, pages \_\_\_\_\_ the claims, Nos. \_\_\_\_\_ the drawings, sheets/fig \_\_\_\_\_

3.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

## 4. Additional observations, if necessary:

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.  
PCT/EP 02/04159

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	YES
	Claims	1-6 NO
Inventive step (IS)	Claims	YES
	Claims	1-6 NO
Industrial applicability (IA)	Claims	1-6 YES
	Claims	NO

## 2. Citations and explanations

## 1. Reference is made to the following document:

D1: EP-A-1 170 450 (OVERHEAD DOOR CORP) 9 January  
2002

2. In D1, an angle between the tangents of 3 to 4° would have been possible owing to the finishing and production tolerances of the curved sections. This angle would not hinder movement of the door leaf.

All the features of claim 1 can thus be read from D1 and the present application does not meet the requirements of PCT Article 33(1) because the subject matter of claim 1 lacks novelty (PCT Article 33(2)).

3. Dependent claims 2 to 7 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step; see documents D1 and D2 and the relevant passages of text indicated in the search report.